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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/700,927

11/04/2003

Toshifumi Kamiya

4041J-000803

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EXAMINER

FORD, JOHN K

ART UNIT

PAPER NUMBER

3744

MAIL DATE

DELIVERY MODE

06/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/700,927	Applicant(s) KAMIYA ET AL.	
	Examiner John K. Ford	Art Unit 3744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on March 16, 2007
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-8, 10-18 is/are pending in the application.
- 4a) Of the above claim(s) 6-8 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-17 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Applicant's response of March 16, 2007 has been carefully considered.

Applicant's election of the first species (description beginning on page 4, line 27 of the specification), without traverse, is acknowledged. Applicant as identified claims 1-3, 5 and 10-18 as readable on the elected species.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combined teachings of Yasuda et al. (USP 4,881,456) and either Japanese Utility Model JP 63-189906 or Norris (USP 2,295,750).

In Yasuda, grills are provided at the discharge of wall outlets that are provided in the ceiling (Gf1, GF12 etc) and dashboard (e.g. Ga, Gb and Gc) as well as numerous other locations into the vehicle compartment of the automobile. An evaporator and heater are shown in Figure 1. A plurality of control means including a control for the air-mix damper (DMPn) are shown. The volume of air being discharged from many of the outlets is independently controlled by control dampers (see, for example, DMPf, DMPg,

DMP_h, DMP_i, DMP_a, DMP_c, DMP_b etc). The exact construction of the discharges in the ceiling and elsewhere in the vehicle is not disclosed.

JP 63-189906 teaches a multi-layer construction comprised of an insulation layer 2B (apparently formed of cardboard), a surface layer 2A, a 3D net 2C, having three-dimensional vent holes 2D.

Norris teaches a multi-layer construction comprised of an insulation layer 25a, made air impervious by paper layer 25b, a surface layer 23, a 3D net 24, having three dimensional vent holes described as having a "comparatively small number of large holes or slots distributed throughout its area" (page 2, col. 2, lines 6-8).

To have provided such a multi-layer construction comprised of an insulation layer, a surface layer, a 3D net having three-dimensional vent holes to form each of the passenger compartment discharges in the ceiling of Yasuda to advantageously improve occupant comfort would have been obvious to one of ordinary skill in the art in view of either of the teachings of JP 63-189906 or Norris 2,295,750.

Claims 1, 2, 3, 5 and 18 are rejected under 35 U.S.C. 103(a) as obvious over the combined teachings of JP 58-126210, Duriez et al (USP 6,656,035) and Norris (USP 2,295,750).

In JP '210, the heater and cooler are shown as well as two air mix dampers 16 and 17 that permit independent air temperature control for the driver and passenger of the vehicle through air vents 21. The air exudes into the compartment through air grills at the end of the vents 21.

To have constructed the vents of JP '210 to discharge air in a diffuse manner as taught by Duriez et al to improve occupant comfort would have been obvious to one of ordinary skill in the art. Duriez teaches wall outlet portions having a multi-layer construction including a support layer 9 (deemed here to be thermally insulating given that applicant's claims claim no particular degree of thermal insulation) a surface layer 7 and a 3D net formed by layers 5 and 6, having three dimensional vent holes.

Finally, Norris teaches placing thermal insulation on the support layer. If not already insulating, to have insulated support layer 9 of Duriez to prevent the heat or cooling from escaping outside the compartment to be conditioned would have been obvious to one of ordinary skill in the art in view of the teaching of Norris '750 at 25a & 25b.

Claims 10-17 are allowed. Please check these claims carefully for consistency with the disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

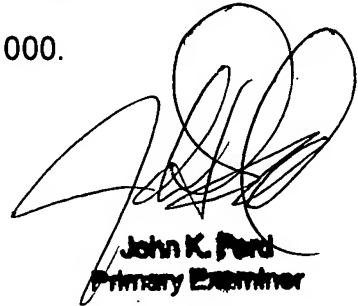
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John K. Ford whose telephone number is 571-272-4911. The examiner can normally be reached on Mon.-Fri. 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on 571-272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



John K. Ford
Primary Examiner